

After recording return to:

Ken Brinich
Hendrix Brinich & Bertalan, LLP
716 NW Harriman
Bend, OR 97701
541-382-4980

2012-009435

Klamath County, Oregon



00123327201200094350020028

08/28/2012 08:39:21 AM

Fee: \$47.00

AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL

Grantors: **Carrie Rasmussen**
Ronald Elam and Lacey D. Marr, not as tenants in common, but
with the right of survivorship
Beneficiary: **Barbara Jensen**
Successor Trustee: **Ken Brinich, 716 NW Harriman, Bend, OR 97701**

This Amended Notice of Default and Election to Sell amends the Notice of Default and Election to Sell recorded in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument Number **2012-006718**.

Reference is made to that certain Trust Deed made by Carrie Rasmussen, Ronald Elam and Lacey D. Marr, as grantors, to Western Title and Escrow, as Trustee, in favor of Barbara Jensen as Beneficiary, dated February 28, 2011, recorded March 2, 2011, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument Number **2011-003076**, covering the following described real property situated in said county and state, to wit:

Lot 4, Block 2, of Plat of Tract 1060 Sun Forest Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

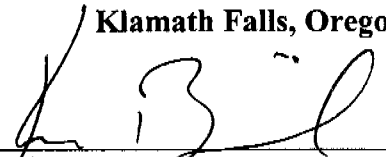
There is default by the grantor or other person, owing an obligation, the performance of which is secured by said Trust Deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantors' failure to pay when due the following sums: monthly payments of \$766; late charges of \$25 each month a payment is not timely made; accrued late charges of \$50; title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein. Additionally, Grantors are in default that certain Settlement Agreement Grantor and Beneficiary entered into, and last dated May 9, 2012. The sum owing as of June 8, 2012 was \$132,892.90 in unpaid principal and accrued interest and accrued late fees.

By reason of said defaults, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following: \$2,592.90 in accrued and unpaid interest and late fees, \$130,300 in unpaid principal, plus interest thereon at the rate of 5.5 percent per annum beginning June 8, 2011, plus late charges of \$25 each month beginning June 10, 2012 until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

Beneficiary has elected sell the trust property to satisfy the obligation.

Grantor has the right under ORS 86.753 to cure the default and have the proceeding dismissed and the trust deed reinstated by paying the entire amount due at the time of the cure, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale. The amount due at time of cure of a default for failure to pay when due sums secured the trust deed is equal to the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred.

Date and time of Sale: **January 4, 2013 at 10:00 am.**
Place of Sale: Front Steps of the **Klamath County Courthouse**
316 Main Street
Klamath Falls, Oregon 97601

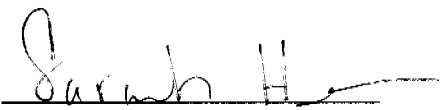


Ken Brinich, OSB 82484
Successor Trustee

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me by KEN BRINICH this 23th day of August, 2012.





Notary Public for Oregon
My Commission Expires:
7.25.13